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September 23, 2008

The Honorable Andre M. Davis
United States District Judge
U.S. Courthouse
101 West Lombard Street
Baltimore, MD 21201

Re: United States v. Mitchell, et al., Case Number 1:04-cr-0029-AMD

Dear Judge Davis:

I apologize for bothering the Court with another letter this morning. I wanted to let Your Honor know that there is an issue relating to a gun used in an uncharged murder, that of Eric Lee, which may well arise during Detective Niedermeier's testimony today or tomorrow. We would be grateful for an opportunity to address this outside the presence of the jury, at a time convenient to the Court, before testimony on this subject is elicited by the government.

Respectfully submitted,



Barry Coburn

/S/

Adam Kurland

cc: All counsel of record, via e-mail